WILMERHALE

William T. Lake

+1 202 663 6725 (t)
+1 202 663 6363 (f)
william.lake@wilmerhale.com

April 26, 2007

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: IB Docket No. 02-364 — Review of the Spectrum Sharing Plan among Non-Geostationary Orbit Mobile Satellite Service Systems in the 1.6/2.4 GHz Bands

Dear Ms. Dortch:

Globalstar submits this response to Iridium's April 11, 2007 *ex parte* letter[1/] in which Iridium submitted a white paper prepared by Frost & Sullivan discussing the quality of service provided by Globalstar and Iridium.

Neither Iridium's letter nor the Frost & Sullivan paper discloses that the white paper was commissioned and paid for by Iridium — a disclosure that is necessary in order to enable the Commission to determine the weight, if any at all, to attach to the paper. Moreover, on its face the paper raises questions of timing and methodology that cast serious doubt on its conclusions.

1. Timing. The Frost & Sullivan study appears to have been undertaken deliberately during the period in which Globalstar was realigning its satellite constellation in order to accommodate new satellites and improve quality of service for the benefit of its customers. Specifically, by letter dated November 20, 2006, Globalstar notified the Commission that it was preparing to adjust its constellation in connection with its plan to launch eight on-ground spare satellites in mid-2007. Globalstar stated that the repositioning of satellites would take two to three months. In addition, on December 6 Globalstar sent its approximately 150 U.S. distributors a newsletter advising them of the constellation adjustments and giving them guidance on responding to subscribers' questions and complaints about any perceived localized deterioration in service. Approximately one-third of Globalstar's distributors, including all of the largest ones, are also Iridium distributors. Hence, there is no doubt that by mid-December Iridium knew that Globalstar anticipated service disruptions at least into February 2007. It is Globalstar's belief that this knowledge prompted Iridium to commission the Frost & Sullivan study to be conducted during January or early-February. Thus, the study appears to have been performed intentionally

---

1/ See Iridium ***Ex Parte*** Filing in IB Docket No. 02-364 (April 11, 2007), attaching "Frost & Sullivan's February 2007 LEO Satellite Telephone Quality of Service Comparison" ("White Paper").

at a time when it would produce atypical results that are not consistent with the performance of the Globalstar system under normal circumstances.

2. Equipment Used. The paper states that the data on which it relies were compiled from calls made from a Globalstar Fixed Unit known as the "GSP-2400".[2/] Globalstar does not sell a product known as the GSP-2400. Globalstar assumes that the tests were conducted using a GSP-2900 fixed unit. The Globalstar measurements reported below were also taken using a Globalstar GSP-2900 fixed unit.

3. Sample Size. The paper states that a total of 718 calls were attempted from locations in Northern California and Texas." Globalstar has accumulated call statistics in the ordinary course of business from a much larger sample of calls made since the realignment of the Globalstar satellite constellation. Globalstar compiled call records from a total of 9979 calls that originated not only in Northern California and Texas, but also in High River, Alberta, Canada, and Smith Falls, Ontario, Canada (locations that serve approximately one-third of the United States). The sample size in the Frost & Sullivan analysis thus is less than a tenth of the sample size in Globalstar's statistics. In Globalstar's view, that small sample size would have made Frost & Sullivan's results inconclusive and unreliable even if Frost & Sullivan had done its sampling during a period of stability in the constellation, rather than during the realignment period in which service was temporarily compromised.

4. Test Results. The Iridium-sponsored Frost & Sullivan paper reported Globalstar call success rates of 36.2 percent in California and 31.8 percent in Texas.[4/] However, Globalstar's statistics, collected after the realignment period, reveal far better Globalstar call performance, in terms of both the percentage of calls connected and the percentage of calls maintained:

Number of Call Attempts – 9979
Number of Calls Connected – 7923
Percentage of Calls Connected – 79.4%

Number of Connected Calls Maintained for Three Minutes – 6671
Percentage of Connected Calls Maintained for Three Minutes – 84.2%

2/ See White Paper at 3.

3/ *Id.* at 6 and 8.

4/ The Frost & Sullivan white paper defines call success as a call connection on the first attempt and avoidance of being dropped for a period of three minutes. See White Paper at 4.

These significant differences between the figures contained in the Frost & Sullivan white paper and Globalstar's own operating statistics, based on a much larger sample size, tend to confirm that the Frost & Sullivan study was intentionally conducted at a time and in a manner that would ensure the least favorable statistics.

Iridium's submission of the unreliable Frost & Sullivan paper in this proceeding, without disclosing that Iridium commissioned the paper, appears to be nothing more than an attempt to divert the Commission's attention from the important substantive issues in this proceeding and the factual record thus far developed, which does not support Iridium's request for access to more of Globalstar's spectrum.

Sincerely yours,

/s/ William T. Lake

William T. Lake
Counsel to Globalstar, Inc.

cc (via email): Chairman Kevin J. Martin
Commissioner Michael J. Copps
Commissioner Jonathan S. Adelstein
Commissioner Deborah Taylor Tate
Commissioner Robert J. McDowell
Michelle Carey
Erika Olsen
Bruce Gottlieb
Barry Ohlson
Aaron Goldberger
Angela Giancarlo
Helen Domenici
John Giusti
James Ball
Howard Griboff
Jennifer Gorny
Paul Locke